

UNITED STATES PATENT AND TRADEMARK OFFICE

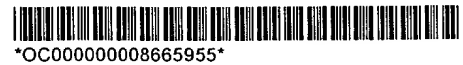
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/639,198	08/15/2000	Edward L. Simonds	

24236
BRETT J. TROUT
300 S.W. 5TH
SUITE 222
DES MOINES, IA 50309

CONFIRMATION NO. 1573

FORMALITIES LETTER



OC000000008665955

Date Mailed: 08/22/2002

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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OFFICE OF PETITIONS



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#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Edward L. Simonds

SERIAL NO.: 09/63³~~8~~,198
FILED: August 15, 2000

TITLE: COMBUSTION HEATER

Office of Petitions
Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR REVIEW OF NOTIFICATION

PURSUANT TO 37 C.F.R. 1.53 (e)(2)

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Dear Sir:

This is in response to the Notice of Incomplete NonProvisional Application dated August 22, 2002, in the above-captioned patent application, a copy of which is attached hereto.

Applicant, by way of this Petition, respectfully requests review of the Notice.

Applicant submits that a Notice of Incomplete Non-Provisional Application was previously mailed to Applicant, dated April 2, 2001. On April 11, 2001, Applicant filed a Request for Review of Notification Pursuant to 37 C.F.R. 1.53(e)(2), a copy of which is attached hereto, along with a copy of the USPTO stamped return postcard. A check in the

CERTIFICATE OF MAILING

I hereby certify that this Response is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 8 day of October, 2002, with adequate postage affixed thereto.

amount of \$130.00 in payment of the fee was enclosed. Also enclosed was the affidavit of Ms. Sharon K. Janes pertaining to the drawings included with the Application.

The undersigned attorney, registered to practice before the United States Patent and Trademark Office, submits that he personally observed the drawings being included with the application as filed on August 15, 2000.

The undersigned also submitted a copy of the drawings which were included with the documents originally filed with the United States Patent and Trademark Office on August 15, 2000.

Applicant requests that the application be assigned the original filing date of August 15, 2000. If there is an additional fee for this Request for Review of Notification, the Examiner is requested to deduct it from Deposit Account No. 501305.

Pursuant to the Notice of Incomplete Non-Provisional Application, enclosed is a copy of Applicant's Combined Declaration and Power of Attorney.

Applicant requests that if this Petition is found to be sufficient to show that the drawings were submitted with the application, the petition fee be refunded to applicant. If anything further is required, please feel free to contact the undersigned at (515) 288-9263.

Respectfully submitted,



By _____
Brett J. Trout, Reg. No. 37,250
BRETT J. TROUT, P.C.
300 S.W. 5th, Suite 222
Des Moines, IA 50309

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